

## Action

### *Public Hearing*

#### **Proposed Amendments to Title 5 Section 80499 of the California Code of Regulations Pertaining to the English Learner (EL) Authorization Requirement**

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**Executive Summary:** The Commission will conduct a public hearing on proposed amendments to Title 5, California Code of Regulations, section 80499 pertaining to the English Learner Authorization requirement for adding a teaching or content area to a general education teaching credential.

**Recommended Action:** Staff recommends that the Commission adopt the proposed regulations pertaining to the English learner authorization requirement in Title 5, CCR section 80499.

**Presenter:** Erin Skubal, Program Analyst,  
Certification Division

#### **Strategic Plan Goal**

##### ***I. Educator Quality***

- c) Ensure that credential processing and assignment monitoring activities accurately, effectively, and efficiently identify educators who have met high and rigorous certification standards and who are appropriately assigned.

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## **Proposed Amendments to Title 5 Section 80499 of the California Code of Regulations Pertaining to the English Learner (EL) Authorization Requirement**

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### **Introduction**

This rulemaking hearing proposes amendments to Title 5 of the California Code of Regulations (CCR) related to the English learner requirement for adding a teaching or content area to a general education teaching credential as approved by the Commission at the August 2015 meeting. The proposed amendments also include correction of a typographical error in the regulation.

### **Background**

Title 5 CCR section 80499 allows a California credentialed teacher to add a teaching or content area to an existing general education teaching credential without completing the full professional preparation program for the new content area or credential type. Current language requires an educator who wishes to apply for certification using this regulation to hold an English learner authorization issued pursuant to Education Code section 44253.3 or 44259.5.

However, the referenced sections of the Education Code refer solely to the English learner authorizations earned through either coursework embedded within a California teacher preparation program or through Commission-approved California Teachers of English Learners (CTEL) coursework or examinations. This inadvertent omission of other appropriate current and previously-issued English learner authorizations unintentionally resulted in limiting experienced educators from being able to use this regulation to add a new teaching or content area to their existing credential, thus creating inequity amongst educators.

The Commission took action in June 2013 ([Agenda Item 2I](#)) to amend 5 CCR Section 80499 to require all individuals using this section to add a new content area or general education teaching credential to complete a methodology course and to hold an appropriate EL authorization, in addition to the previous requirements. Effective January 1, 2014 an individual applying for a new content area or general education teaching credential under the provisions of this regulation is required to hold an EL authorization issued pursuant to Education Code section 44253.3 or 44259.5. Possession of the EL authorization signifies that the teacher has appropriate preparation in English Language Development (ELD) and Specially Designed Academic Instruction in English (SDAIE).

At the December 2014 Commission meeting, [Agenda Item 5B](#) was presented to provide an overview of the impact of the English Learner Authorization requirement within this regulation. The Commission recognized that the omission of other appropriate EL authorizations has resulted in the unintended limitation for experienced educators to utilize this section of regulations. The

Commission took action to delegate authority to staff to accept the CCSD or SB 1969 certificate to fulfill the EL requirement. The Commission also requested that staff return with proposed regulation amendments to expand the list of acceptable EL authorizations.

### **Summary of Proposed Amendments**

#### **§80499**

**(c)(1)(C)** Proposes the removal of specific options for fulfilling the English learner authorization requirement and introduces reference to a new subsection that broadens the routes available to fulfill the English learner authorization requirement.

**(c)(2)(B)** Proposes addition of the word “program” to complete the sentence, correcting a typographical error.

**(c)(2)(D)** Proposes the removal of specific options for fulfilling the English learner authorization requirement and introduces reference to a new subsection that broadens the routes available to fulfill the English learner authorization requirement.

**(c)(3)(C)** Proposes the removal of specific options for fulfilling the English learner authorization requirement and introduces reference to a new subsection that broadens the routes available to fulfill the English learner authorization requirement.

**(d)(1)(E)** Proposes the removal of specific options for fulfilling the English learner authorization requirement and introduces reference to a new subsection that broadens the routes available to fulfill the English learner authorization requirement.

**(d)(2)(E)** Proposes the removal of specific options for fulfilling the English learner authorization requirement and introduces reference to a new subsection that broadens the routes available to fulfill the English learner authorization requirement.

**(d)(3)(E)** Proposes the removal of specific options for fulfilling the English learner authorization requirement and introduces reference to a new subsection that broadens the routes available to fulfill the English learner authorization requirement.

**(i)(1)(B)** Proposes the removal of specific options for fulfilling the English learner authorization requirement and introduces reference to a new subsection that broadens the routes available to fulfill the English learner authorization requirement.

**(i)(2)(B)** Proposes the removal of specific options for fulfilling the English learner authorization requirement and introduces reference to a new subsection that broadens the routes available to fulfill the English learner authorization requirement.

**(i)(3)(B)** Proposes the removal of specific options for fulfilling the English learner authorization requirement and introduces reference to a new subsection that broadens the routes available to fulfill the English learner authorization requirement.

**(j)** Proposes the addition of a new subsection to more clearly define acceptable California English learner authorizations. Previously, the regulation did not specifically identify all the possible options available to meet the English learner requirement, leaving questions as to those that could be used to meet the requirements to add a new teaching or content area under this section. This subsection will clarify those issues.

**(j)(1)** Proposes to add an English learner authorization listed on a previously issued multiple subject, single subject, or education specialist instruction credential as an acceptable option for meeting the English learner authorization requirement.

**(j)(2)** Proposes to add a BCLAD emphasis listed on a previously issued multiple subject or single subject credential as an acceptable option for meeting the English learner authorization requirement.

**(j)(3)** Proposes to add a BCLAD Certificate as an acceptable option for meeting the English learner authorization requirement.

**(j)(4)** Proposes to add an English learner authorization or CLAD Certificate issued pursuant to section 80015 as an acceptable option for meeting the English learner authorization requirement.

**(j)(5)** Proposes to add a Bilingual authorization issued pursuant to section 80015.1 as an acceptable option for meeting the English learner authorization requirement.

**(j)(6)** Proposes to add a Bilingual Crosscultural Specialist Credential as an acceptable option for meeting the English learner authorization requirement.

**(j)(7)** Proposes to add a Language Development Specialist Certificate as an acceptable option for meeting the English learner authorization requirement.

**(j)(8)** Proposes to add a Bilingual Certificate of Competence as an acceptable option for meeting the English learner authorization requirement.

**(j)(9)** Proposes to add a Single Subject Teaching Credential in World Language: English Language Development as specified in section 80004(e) as an acceptable option for meeting the English learner authorization requirement.

**(j)(10)** Proposes to add a Certificate of Completion of Staff Development issued pursuant to Education Code section 44253.10 as an acceptable option for meeting the English learner authorization requirement.

**Note:** Proposes additional references to the Note section applicable to new regulatory section (j).

## **Disclosures Regarding the Proposed Actions**

The Commission has made the following initial determinations:

*Mandate to local agencies or school districts:* None.

*Other non-discretionary costs or savings imposed upon local agencies:* None.

*Cost or savings to any state agency:* None.

*Cost or savings in federal funding to the state:* None.

*Significant effect on housing costs:* None.

*Significant statewide adverse economic impact directly affecting businesses including the ability of California businesses to compete with businesses in other states:* None.

These proposed regulations will not impose a mandate on local agencies or school districts that must be reimbursed in accordance with Part 7 (commencing with section 17500) of the Government Code.

*Cost impacts on a representative private person or business:* The Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

*Statement of the Results of the Economic Impact Assessment [Govt. Code § 11346.5(a)(10)]:* The Commission concludes that it is (1) unlikely that the proposal will create any jobs within the State of California; 2) unlikely that the proposal will eliminate any jobs within the State of California; 3) unlikely that the proposal will create any new businesses within the State of California; 4) unlikely that the proposal will eliminate any existing businesses within the State of California; and 5) unlikely the proposal would cause the expansion of businesses currently doing business within the State of California.

*Benefits of the Proposed Action:* The Commission anticipates that the proposed amendments will promote fairness and prevent discrimination by ensuring equity between all educators who earned appropriate English learner authorizations and prevent the exclusion of those educators whose English learner authorization was not earned through coursework embedded within a California teacher preparation program or through Commission-approved California Teachers of English Learners (CTEL) coursework or examinations.

The Commission does not anticipate that the proposed regulations will result in an increase in openness and transparency in government, the protection of public health and safety, worker safety, or the environment, the prevention of social inequity, or an increase in openness and transparency in business.

*Effect on small businesses:* The proposed regulations will not have a significant adverse economic impact upon business. The proposed regulations apply only to individuals seeking to add additional teaching or content areas to existing California general education credentials.

### **Notice of Proposed Rulemaking Mailing List and Responses**

#### **Mailing List**

- Members of the Commission on Teacher Credentialing
- California County Superintendents of Schools
- Credential Analysts at the California County Superintendents of Schools Offices
- Superintendents of Selected California School Districts
- Deans and Directors at the California Institutions of Higher Education with Commission-approved programs
- Credential Analysts at the California Institutions of Higher Education with Commission-approved programs
- Presidents of Selected Professional Educational Associations

Also placed on the Internet at <http://www.ctc.ca.gov>.

#### **Tally of Responses**

As of today, November 12, 2015 the Commission had received the following written responses to the public announcement:

<b><i>Support</i></b>	<b><i>Opposition</i></b>
2 organizational opinions	0 organizational opinions
0 personal opinions	0 personal opinions
<b>Total Responses: 2</b>	

#### ***Written Responses Representing Organizations in Support***

1. Sharie D Ortega, Credentials Supervisor, Imperial County Office of Education
2. Susana Fernandez, Support Services Manager, Orange County Office of Education

#### **Staff Recommendation**

Staff recommends that the Commission adopt the proposed amendments to Title 5, CCR section 80499 pertaining to the English Learner Authorization requirement for adding a teaching or content area to a general education teaching credential.

**CALIFORNIA CODE OF REGULATIONS**  
**TITLE 5. EDUCATION**  
**DIVISION 8. COMMISSION ON TEACHER CREDENTIALING**

**§80499. Adding a Teaching or Content Area to a Multiple or Single Subject Credential or Previously Issued Credential.**

- (a) A qualified applicant who holds a teaching credential as described in (b) and desires an additional teaching or content area may apply for the authorization directly to the Commission pursuant to (c), (d), (e), (f), (g), (h), or (i) below.
- (b) The following definitions apply only to §80499. A “qualified applicant” is defined as a holder of a valid credential that meets the definition of a “basic teaching credential” pursuant to Education Code Section 44203(e)(1) only. The “holder of a valid credential” is defined as an individual who possesses the appropriate basic teaching credential that has not yet expired.
- (c) A qualified applicant holding a valid clear or life Multiple or Single Subject Teaching Credential may obtain an additional teaching or content area when the holder has verified successful completion of (1), (2), or (3) below.
  - (1) The holder of a Multiple Subject Teaching Credential may obtain a Single Subject Teaching Credential by verifying all of the following requirements:
    - (A) subject matter knowledge in the requested area by passage of the appropriate subject-matter examination(s) adopted by the Commission or completion of a Commission-approved subject-matter program,
    - (B) a course of three semester or four quarter units in subject matter pedagogy directly related to teaching in a departmentalized setting in the content area to be listed on the Single Subject Teaching Credential. Pedagogy courses completed in California shall be accepted only if the institution has a Commission-approved preparation program for the content area sought. Commission-approved preparation programs may grant equivalency for pedagogy coursework completed at their institution. A pedagogy course completed in another state shall be accepted only from a regionally-accredited institution with a professional teacher preparation program, and
    - (C) possession of a California English Learner Authorization ~~issued pursuant to the requirements specified in Education Code Section 44253.3 or 44259.5~~ as defined in subsection (j).
  - (2) The holder of a Single Subject Teaching Credential may obtain a Multiple Subject Teaching Credential by verifying all of the following requirements:
    - (A) subject matter knowledge in the requested area by passage of the appropriate subject-matter examination(s) adopted by the Commission,
    - (B) a course of three semester or four quarter units in subject-matter pedagogy directly related to teaching in a self-contained setting. Pedagogy courses completed in

California shall be accepted only if the institution has a Commission-approved Multiple Subject preparation program. A pedagogy course completed in another state shall be accepted from only a regionally-accredited institution with a professional teacher preparation program.

- (C) study of alternative methods of developing English language skills as described in Education Code Sections 44259(b)(4) and 44283. This requirement shall be satisfied by completion of coursework at the level required for the Multiple Subject Teaching Credential and by passage of the Reading Instruction Competence Assessment (RICA), and
  - (D) possession of a California English Learner Authorization ~~issued pursuant to the requirements specified in Education Code Section 44253.3 or 44259.5~~ as defined in subsection (j).
- (3) The holder of a Single Subject Teaching Credential may obtain a Single Subject Teaching Credential in an added content area by verifying the following requirements:
- (A) subject matter knowledge in the requested area by passage of the appropriate subject-matter examination(s) adopted by the Commission or completion of a Commission-approved subject-matter program.
  - (B) a course of three semester or four quarter units in subject matter pedagogy directly related to teaching in a departmentalized setting in the content area to be listed on the Single Subject Teaching Credential. Pedagogy courses completed in California shall be accepted only if the institution has a Commission-approved preparation program for the content area sought. Commission-approved preparation programs may grant equivalency for pedagogy coursework completed at their institution. A pedagogy course completed in another state shall be accepted only from a regionally-accredited institution with a professional teacher preparation program. Applicants adding the following content areas shall be exempt from this requirement:
    - (i) a Science content area to an existing Science credential;
    - (ii) upgrading a Foundational-Level Mathematics credential to the full Mathematics content area; or
    - (iii) a World Language content area, other than English Language Development, to an existing World Language credential in any content area other than English Language Development
  - (C) possession of a California English Learner Authorization ~~issued pursuant to the requirements specified in Education Code Section 44253.3 or 44259.5~~ as defined in subsection (j).
- (4) A grade of “C” or better, “Pass,” or “Credit,” must be earned in the coursework in the study of alternative methods of developing English language skills and the subject-matter pedagogy.



(5) The applicant will be granted a clear multiple or single subject teaching or content area if the credential held is a clear or life.

(d) A qualified applicant holding a valid preliminary Multiple or Single Subject Teaching Credential may obtain a preliminary multiple or single subject teaching or content area when the holder has verified successful completion of (1), (2), or (3) below:

(1) The holder of a Multiple Subject Teaching Credential may obtain a Single Subject Teaching Credential by verifying all of the following requirements:

- (A) subject matter knowledge in the requested area by passage of the appropriate subject-matter examination(s) adopted by the Commission or completion of a Commission-approved subject-matter program,
- (B) a course of three semester or four quarter units in subject matter pedagogy directly related to teaching in a departmentalized setting in the content area to be listed on the Single Subject Teaching Credential. Pedagogy courses completed in California shall be accepted only if the institution has a Commission-approved preparation program for the content area sought. Commission-approved preparation programs may grant equivalency for pedagogy coursework completed at their institution. A pedagogy course completed in another state shall be accepted only from a regionally-accredited institution with a professional teacher preparation program,
- (C) study of alternative methods of developing English language skills, as described in Education Code Section 44259(b)(4),
- (D) demonstration of a knowledge of the principles and provisions of the Constitution of the United States pursuant to Education Code Section 44335, and
- (E) possession of a California English Learner Authorization ~~issued pursuant to the requirements specified in Education Code Section 44253.3 or 44259.5~~ as defined in subsection (j).

(2) The holder of a Single Subject Teaching Credential may obtain a Multiple Subject Teaching Credential by verifying all of the following requirements:

- (A) subject matter knowledge in the requested area by passage of the appropriate subject-matter examination(s) adopted by the Commission,
- (B) a course of three semester or four quarter units in subject matter pedagogy directly related to teaching in a self-contained setting. Pedagogy courses completed in California shall be accepted only if the institution has a Commission-approved Multiple Subject preparation program. A pedagogy course completed in another state shall be accepted only from a regionally-accredited institution with a professional teacher preparation program,
- (C) study of alternative methods of developing English language skills as described in Education Code Sections 44259(b)(4) and 44283. This requirement shall be satisfied by completion of coursework at the level required for the Multiple Subject Teaching Credential and by passage of the RICA,

- (D) demonstration of a knowledge of the principles and provisions of the Constitution of the United States pursuant to Education Code Section 44335, and
  - (E) possession of a California English Learner Authorization ~~issued pursuant to the requirements specified in Education Code Section 44253.3 or 44259.5~~as defined in subsection (j).
- (3) The holder of a Single Subject Teaching Credential may obtain a Single Subject Teaching Credential in an added content area that will be valid for five years from the original issuance date of the initial preliminary Single Subject Teaching Credential by verifying all of the following requirements:
- (A) Subject matter knowledge in the requested area by passage of the appropriate subject-matter examination(s) adopted by the Commission or completion of a Commission-approved subject matter program,
  - (B) A course of three semester or four quarter units in subject matter pedagogy directly related to teaching in a departmentalized setting in the content area to be listed on the Single Subject Teaching Credential. Pedagogy courses completed in California shall be accepted only if the institution has a Commission-approved preparation program for the content area sought. Commission-approved preparation programs may grant equivalency for pedagogy coursework completed at their institution. A pedagogy course completed in another state shall be accepted only from a regionally-accredited institution with a professional teacher preparation program. Applicants adding the following content areas shall be exempt from this requirement:
    - (i) a Science content area to an existing Science credential;
    - (ii) upgrading a Foundational-Level Mathematics credential to the full Mathematics content area; or
    - (iii) a World Language content area, other than English Language Development, to an existing World Language credential in any content area other than English Language Development,
  - (C) study of alternative methods of developing English language skills, as described in Education Code Section 44259(b)(4),
  - (D) demonstration of a knowledge of the principles and provisions of the Constitution of the United States pursuant to Education Code Section 44335, and
  - (E) possession of a California English Learner Authorization ~~issued pursuant to the requirements specified in Education Code Section 44253.3 or 44259.5~~as defined in subsection (j).
- (4) A grade of “C” or better, “Pass,” or “Credit,” must be earned in the coursework in the study of alternative methods of developing English language skills and the subject-matter pedagogy.
- (5) The applicant will be granted a 5-year preliminary multiple or single subject teaching or content area. Upon completion of all requirements for the clear credential as specified in

section 80413(b), 80413.3(a)(2), or 80413.3(b)(2), as applicable, the qualified applicant may be granted a clear single or multiple subject teaching or content area.

- (e) A qualified applicant holding a valid teaching credential obtained prior to January 1, 1974, who has completed a fifth year program after earning a baccalaureate degree at a regionally accredited institution may obtain a clear Multiple or Single Subject Teaching Credential by verifying subject matter knowledge in the requested area. Subject matter knowledge can be verified pursuant to subsection (c)(1)(A) for the Single Subject Teaching Credential or subsection (c)(2)(A) for the Multiple Subject Teaching Credential.
- (f) A qualified applicant holding a valid teaching credential obtained prior to January 1, 1974, but who has not yet completed a fifth year program after earning a baccalaureate degree at a regionally accredited institution, may obtain a preliminary Multiple or Single Subject Teaching Credential when the holder has verified subject matter knowledge in the requested area. Subject matter knowledge can be verified pursuant to subdivision (c)(1)(A) for the single subject teaching credential or (c)(2)(A) for the multiple subject teaching credential. Upon completion of a fifth year program including the recommendation of a Commission-approved institution, the qualified applicant may be granted a clear Multiple or Single Subject Teaching Credential.
- (g) A qualified applicant holding a valid clear or life Multiple or Single Subject Teaching Credential may obtain a clear Multiple or Single Subject Teaching Credential pursuant to Education Code Section 44399.1 when the holder has verified successful completion of (1), (2), or (3) below:
  - (1) The holder of a Multiple Subject Teaching Credential may obtain a Single Subject Teaching Credential by verifying possession of National Board Certification in a departmentalized content area that is comparable to a content area specified in Education Code Section 44257.
  - (2) The holder of a Single Subject Teaching Credential may obtain a Multiple Subject Teaching Credential by verifying both of the following requirements:
    - (A) Possession of National Board Certification in the area of Early Childhood (ages 3-8) Generalist or Middle Childhood (ages 7-12), and
    - (B) subject matter knowledge in the requested area by passage of the appropriate subject-matter examination(s) adopted by the Commission pursuant to Education Code 44399.1(b).
  - (3) The holder of a Single Subject Teaching Credential may obtain a Single Subject Teaching Credential in an added content area by verifying possession of National Board Certification in a subject area in a departmentalized content area that is comparable to a content area specified in Education Code Section 44257.
- (h) A qualified applicant holding a valid preliminary Multiple or Single Subject Teaching Credential may obtain a preliminary Multiple or Single Subject Teaching Credential pursuant to Education Code Section 44399.1 when the holder has verified successful completion of (1), (2), or (3) below:

- (1) The holder of a Multiple Subject Teaching Credential may obtain a 5-year preliminary Single Subject Teaching Credential by verifying possession of National Board Certification in a departmentalized content area that is comparable to a content area specified in Education Code Section 44257.
  - (2) The holder of a Single Subject Teaching Credential may obtain a 5-year preliminary Multiple Subject Teaching Credential by verifying both of the following requirements:
    - (A) Possession of National Board Certification in the area of Early Childhood (ages 3-8) Generalist or Middle Childhood (ages 7-12), and
    - (B) subject matter knowledge in the requested area by passage of the appropriate subject-matter examination(s) adopted by the Commission pursuant to Education Code 44399.1(b).
  - (3) The holder of a Single Subject Teaching Credential may obtain a Single Subject Teaching Credential in an added content area that will be valid for five years from the original issuance date of the initial preliminary Single Subject Teaching Credential by verifying possession of National Board Certification in a subject area in a departmentalized content area that is comparable to a content area specified in Education Code Section 44257.
  - (4) Upon completion of all requirements for the clear credential, as specified in section 80413(b), 80413.3(a)(2), or 80413.3(b)(2) as applicable, the qualified applicant may be granted a clear Single or Multiple Subject Teaching Credential or content area.
- (i) A qualified applicant holding a valid clear or life Multiple or Single Subject Teaching Credential may obtain an additional teaching or content area on the basis of an out-of-state credential by verifying (1), (2), or (3) below:
- (1) The holder of a Multiple Subject Teaching Credential may obtain a clear Single Subject Teaching Credential by verifying possession of both of the following:
    - (A) a professional level teaching credential issued by another state or U.S. Territory with a departmentalized classroom teaching authorization that is comparable to an authorization specified in Education Code Section 44257, and
    - (B) a California English Learner Authorization ~~issued pursuant to the requirements specified in Education Code Section 44253.3 or 44259.5~~ as defined in subsection (j).
  - (2) The holder of a Single Subject Teaching Credential may obtain a clear Multiple Subject Teaching Credential by verifying possession of both of the following:
    - (A) a professional level teaching credential issued by another state or U.S. Territory with an elementary education or self-contained classroom teaching authorization, and
    - (B) a California English Learner Authorization ~~issued pursuant to the requirements specified in Education Code Section 44253.3 or 44259.5~~ as defined in subsection (j).

(3) The holder of a Single Subject Teaching Credential may obtain a clear Single Subject Teaching Credential in an additional content area by verifying possession of both of the following:

(A) a professional level teaching credential issued by another state or U.S. Territory with a departmentalized classroom teaching authorization that is comparable to an authorization specified in Education Code Section 44257, and

(B) a California English Learner Authorization ~~issued pursuant to the requirements specified in Education Code Section 44253.3 or 44259.5~~ as defined in subsection (j).

(j) For the purposes of this section, California English Learner Authorization is defined as any of the following:

(1) English learner authorization listed on a previously issued multiple subject, single subject, or education specialist instruction credential;

(2) BCLAD Emphasis listed on a previously issued multiple subject or single subject credential;

(3) BCLAD Certificate;

(4) English learner authorization or CLAD Certificate issued pursuant to section 80015;

(5) Bilingual authorization issued pursuant to section 80015.1;

(6) Bilingual Crosscultural Specialist Credential;

(7) Language Development Specialist Certificate;

(8) Bilingual Certificate of Competence;

(9) Single Subject Teaching Credential in World Language: English Language Development as specified in section 80004(e); or

(10) Certificate of Completion of Staff Development issued pursuant to Education Code section 44253.10.

Note: Authority cited: Section 44225(q), Education Code. Reference: Sections 44225(e), 44253.3, 44253.10, 44257, 44259, 44259.5, 44265, 44274.2 and 44399.1, Education Code.